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Law

**COMPLIANCE WITH THE LAW OF ARMED
CONFLICT**

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1. The Law of Armed Conflict (LOAC) arises from civilized nations' humanitarian desire to lessen the effects of conflicts. It protects combatants and noncombatants from unnecessary suffering, and it safeguards the basic rights of all civilians, any prisoners of war, the wounded, and the sick. The law also tries to keep conflicts from degenerating into savagery and brutality, thereby helping to restore peace. The Air Force will make sure its personnel understand, observe, and enforce LOAC and the US Government's obligations under that law.
2. Air Force personnel will comply with LOAC in military operations and related activities during armed conflicts, no matter how these conflicts are characterized.
3. The Air Force will carefully handle alleged violations of LOAC committed by or against members of the Air Force, members of other military departments, or persons accompanying or serving with those forces. Air Force personnel will report them promptly through command channels, investigate them thoroughly, and resolve them through appropriate and timely corrective action, including prosecution under the Uniform Code of Military Justice (UCMJ), if appropriate.
4. The Air Force will make sure all weapons it buys or develops are consistent with international law, particularly LOAC. To do so, HQ USAF/JAI will conduct a timely legal review of all weapons and their effects.
5. The following responsibilities and authorities are established:
 - 5.1. Once each year, all commanders make sure their people are trained in the principles and rules of LOAC needed to carry out their duties and responsibilities. At a minimum, it will include training required by the 1949 Geneva Conventions for the Protection of War Victims and the Hague Convention IV of 1907, including annexes. Commanders also make sure a judge advocate reviews all command plans, policies, procedures, and operations to ensure that they meet US legal obligations under LOAC.

5.2. The Judge Advocate General ensures that the Air Force effectively implements the Department of Defense (DoD) Law of War Program. Each year, major command (MAJCOM) Staff Judge Advocates (SJA) report LOAC training to HQ USAF/JAI.

5.3. The Commander, Air Education and Training Command, includes adequate LOAC instruction in military training and education programs for accessions, as well as for others when appropriate.

5.4. All Air Force personnel must ensure that the judge advocate learns of apparent violations of LOAC:

5.4.1. Members of the Air Force who know of, or receive a report of, an apparent violation of the law of armed conflict must tell their immediate commanders about it. If an immediate commander appears to be involved in the violation, they must report it to the next higher command authority.

5.4.2. Each commander and staff agency that receives a report of LOAC noncompliance or breach will report the facts promptly to the local SJA and the appropriate investigating agency.

5.5. The Assistant Secretary of the Air Force for Acquisition (SAF/AQ) will coordinate Program Management Directives with HQ USAF/JAI and give them information needed to do a thorough and accurate legal review of all Air Force weapons.

6. The terms in used in this policy are as follows:

6.1. **Armed Conflict.** A conflict between States in which at least one has resorted to using armed force to achieve its aims.

6.2. **Geneva Conventions for the Protection of War Victims (Geneva Conventions) of 1949.** Four separate Geneva Conventions protect the wounded and sick, the shipwrecked, prisoners of war, and civilians.

6.3. **Hague Conventions and Regulations.** Various conventions and rules adopted primarily by international diplomatic conferences at the Hague in 1899 and 1907.

6.4. **Law of Armed Conflict.** All international law which concerns the conduct of hostilities during armed conflict and is binding on the United States or US citizens. It includes international treaties and agreements to which the United States is a party as well as customary international law. These treaties include the 1949 Geneva Conventions and the 1907 Hague Conventions and Regulations, among others.

6.5. **Weapons.** Devices designed to kill, injure, or disable people, or to damage or destroy property. The following are not weapons:

6.5.1. Devices developed and used for training and practice.

6.5.2. Aircraft, intercontinental ballistic missiles, and other launch platforms.

6.5.3. Electronic-warfare devices.

7. This policy implements DoD Directive 5100.77, DoD Law of War Program, July 10, 1979; and DoD Instruction 5500.15, Review of Legality of Weapons Under International Law, October 16, 1974.

- 8.** Related instructions are in AFI 51-401, Training and Reporting To Ensure Compliance With The Law of Armed Conflict (formerly AFR 110-32); and AFI 51-402, Review of Weapons for Legality Under International Law (formerly AFR 110-29).
- 9.** See attachment 1 for measures of compliance with this policy.

DAVID C. MOREHOUSE, Maj General, USAF
The Judge Advocate General

Attachment 1

MEASURING AND DISPLAYING COMPLIANCE WITH POLICY

A1.1. HQ USAF/JAI will measure compliance with the policy to train all Air Force personnel in the LOAC once each calendar year.

A1.2. Each MAJCOM's legal office will track the percentage of people assigned who were trained in the LOAC during the calendar year and pass this data to HQ USAF/JAI by the first of February of each year. The MAJCOMs will use RCS: HAF-JAI(A)9231, Law of Armed Conflict Training Report, to collect this information, but will discontinue reporting during emergency and MINIMIZE conditions.

A1.3. The MAJCOMs will chart on a graph the percentage of Air Force people trained, with 1993 serving as the baseline year. Our goal is a trend toward 100 percent (figure A1.1).

Figure A1.1. Sample Metric of MAJCOM LOAC Training.

